

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:18-CR-70-D

UNITED STATES OF AMERICA

v.

CALVIN BRUCE BEARD,

Defendant.

**ORDER**

On November 5, 2021, Calvin Bruce Beard (“Beard” or “defendant”) filed a motion to withdraw his 2255 motion. See [D.E. 200]. On February 18, 2022, the court granted the motion to withdraw the section 2255 motion. See [D.E. 201]. On April 22, 2022, the case was reassigned to the undersigned. On August 8, 2022, Beard filed a motion for a status update or for a sentence reduction. See [D.E. 209]. On September 7, 2022, Beard filed a motion to withdraw his motion for a sentence reduction “because he has new evidence to support [his] 2255 claim.” See [D.E. 212].

Defendant’s motion to withdraw his motion for a sentence reduction [D.E. 212] is GRANTED. In granting this motion, the court is not stating that any section 2255 will be considered timely, particularly given the date that defendant’s conviction became final. See [D.E. 151].

SO ORDERED. This 5 day of January, 2023.

  
JAMES C. DEVER III  
United States District Judge